IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.61282-M of 2006

DATE OF DECISION: NOVEMBER 27, 2006

Kulwant Singh

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. O.S.Batalvi, Advocate,
for the petitioner.

Mr.N.S.Gill, AAG, Punjab.

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Petitioner Kulwant Singh apprehending his arrest in a non-bailable offence in case FIR No.66 dated 20.7.2006 registered under Section 420 IPC at Police Station Fatehgarh Churian, District Gurdaspur, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that as per the version given in the FIR, Palwinder Singh, Chairman, is the main accused, who has already been arrested. As far as the petitioner is concerned, there is no specific allegation against him and the only allegation against him is that he had also come along with the aforesaid Palwinder Singh to collect the money. Counsel further contends that in terms of the interim order dated October 11, 2006, the petitioner has joined the investigation. Counsel for the respondent-State does not dispute this fact and further states that the petitioner is no more required for further investigation.

In view of the above, the interim order dated October 11, 2006 is made absolute on the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. Thereafter except for material change in the circumstances, the petitioner shall be entitled for the grant of regular bail by the trial Court on the terms and conditions to be imposed by the court.

Disposed of accordingly.

November 27, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE